

**KENTON COUNTY PLANNING COMMISSION
REGULAR MEETING**

Minutes

Mr. Darpel, Chairman, called the meeting to order on May 6, 2020 at 6:15 p.m. and opened the proceedings with the Pledge of Allegiance and invocation by Mr. Darpel. The meeting was held virtually via the GoToMeeting platform. Attendance of members (for this meeting as well as those during the year to date) was as follows.

| Commission Member | Jurisdiction | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec |
|--------------------------|---------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Jeff Bethell | Fort Mitchell | X | X | X | | X | | | | | | | |
| Debbie Vaughn | Kenton Co | X | X | | | X | | | | | | | |
| Diane Brown, V. Chair | Erlanger | X | X | | | X | | | | | | | |
| Carl Ahrens | Ryland Hts. | | | X | | X | | | | | | | |
| Paul Darpel, Chair | Edgewood | X | X | X | | X | | | | | | | |
| Brian Dunham | Kenton Cty | X | X | X | | X | | | | | | | |
| Tom France | Ludlow | | | | | X | | | | | | | |
| Margo Baumgardner | Crestview Hills | X | X | X | | X | | | | | | | |
| Keith Logsdon | Lakeside Park | X | | X | | X | | | | | | | |
| Matthew Martin | Taylor Mill | X | X | X | | X | | | | | | | |
| Jen Best | Covington | | X | X | | X | | | | | | | |
| Joe Pannunzio | Elsmere | X | X | X | | X | | | | | | | |
| Sean Pharr | Covington | X | X | | | X | | | | | | | |
| Phil Ryan, Treasurer | Park Hills | X | X | X | | X* | | | | | | | |
| Gailen Bridges | Bromley | X | X | X | | X | | | | | | | |
| Greg Sketch | Crescent Spgs | X | X | X | | X | | | | | | | |
| Maura Snyder | Independence | X | | X | | X | | | | | | | |
| Todd Berling | Fort Wright | X | X | X | | X | | | | | | | |
| Robert "Bob" Whelan | Covington | X | X | | | X | | | | | | | |
| Brian Wischer | Villa Hills | | X | | | X | | | | | | | |

Also present were Mr. Mathew Smith, Legal Counsel, and the following PDS staff: Mr. Andy Videkovich and Ms. Emi Randall.

“X” denotes attendance at the regular meeting and “x” denotes attendance at the continuation meeting.
“*” denotes arrival after roll call was taken.

AGENDA:

Mr. Darpel commented with regard to item #11 on the agenda. He stated the number is incorrect and should read PC2003-0003. He asked for any questions or comments on the agenda. There being none, Mr. Darpel asked for a motion to approve. Ms. Snyder made the motion to accept the agenda with the changes. Mr. Pannunzio seconded. All in favor by acclamation.

APPROVAL OF THE MINUTES

Mr. Darpel asked for any questions or comments with regard to the minutes for March. There being none, Mr. Darpel then asked for a motion to approve. Ms. Snyder made the motion to approve. Mr. Dunham seconded the motion. A roll call vote on the motion found Ms. Snyder, Mr. Dunham, Mr. Ahrens, Ms. Baumgardner, Mr. Berling, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Sketch, Ms. Vaughn and Mr. Wischer in favor. Ms. Brown, Mr. France and Mr. Whelan abstained. The motion carried.

RECEIPTS AND EXPENDITURES:

Mr. Darpel asked for any questions or comments with regard to the receipts and expenditures report. There being no comments, Mr. Darpel asked for a motion to accept the report for February and March of 2020. Mr. Ryan made the motion to accept the reports as submitted for February and March. Ms. Snyder seconded. All in favor by acclamation.

RECENT ACTIONS BY STAFF:

(No action required)

RECENT ACTIONS BY LEGISLATIVE BODIES:

(No action required)

PUBLIC HEARINGS

FILE: PC2003-0002 (action required)

APPLICANT: Thomas Schreiber on behalf of Grand Garden LLC.
LOCATION: Area 1 is approximately 12.8 acres located approximately 360 feet east of Garden Way and 190 feet south of Columbine Court in Edgewood. Area 2 is approximately 29.5 acres located approximately 200 feet east of Serenity Way and 640 feet south of Columbine Court in Erlanger.
REQUEST: A proposed map amendment to the Edgewood Zoning Ordinance changing Area 1 from R-1B (Residential One B) to R-1C (Residential One C) and to the Erlanger Zoning Ordinance changing Area 2 from R-1C (Residential One C) to R-1C (RCD) (Residential One C (Residential Cluster Development Overlay)).

Mr. Dunham recused himself from the following issue due to a potential conflict of interest.

Staff presentation and Staff recommendations by Andy Videckovich

PDS STAFF RECOMMENDATION

Favorable recommendation on the proposed map amendment to the Edgewood Zoning Ordinance changing Area 1 from R-1B (Residential One B) to R-1C (Residential One C) and the Erlanger Zoning Ordinance changing Area 2 from R-1C (Residential One C) to R-1C (RCD) (Residential One C (Residential Cluster Development Overlay)), subject to the agreement of the applicant to provide the following:

1. A tree preservation plan, which denotes trees to be preserved and methods to provide for tree protection during construction be submitted for review and approval prior to zoning approval and any clearing on the site;
2. That the trails be constructed of a firm, stable, and slip resistant material;
3. That the trail connections be made to each of the cul-de-sacs.

Mr. Jay Bayer addressed the Commission on behalf of the applicant. He stated they are excited to be the first virtual application for Grand Garden. He then introduced the other team members for the applicant who will also speak as to the proposed development. He noted they are in full agreement with Staff.

Mr. John Mercrater addressed the Commission on behalf of the applicant. He gave a brief background on Grand Gardens and the partnership with the developer. He stated they are excited to move forward with the project.

Mr. Ben Taylor addressed the Commission on behalf of the Drees company. He stated he just wanted to go over some of the things they are seeing with the housing development. He stated they see two types of home buyers with the development; professionals and folks moving into ranch style homes that wish to stay in Edgewood. He stated they are seeing a trend with people looking for lots that are easier to maintain. He additionally stated they see that as a predominant reason to go to the lot sizes they are proposing. Mr. Taylor stated they will be all single family homes, ranch or two-story plans ranging from \$430-500k and the larger square footage homes will be \$430 to over 500k. He stated they are excited to be a part of the development.

Mr. Mike Mercrater then addressed the Commission again and spoke to the plan elements of the development. He stated the question was brought up about the overlay and noted the primary purpose is to provide some front yard setback and provide a larger area in the back. He stated with regard to lots 50, 51 and 52 there would be a shared driveway for those lots. He also noted paving the trails toward Doe Run Lake would have a series of safety challenges which is why they intend to mulch the trails.

Mr. Jay Bayer then addressed the Commission stating he was going to walk through the Staff report. He reiterated again they did a fantastic job. He stated what they are asking for fits in with the surrounding zone. He additionally stated with the larger lots and the eighty footers and the seventy footers they are trying to blend in with the surrounding area, and the smaller lots are going to be in the back. He stated they are creating a park at lot 53 and offering a connection with the rest of the development. He stated there will be preservation of hillsides and plan to increase and promote the bicycle trail. He additionally noted the density for the whole development is just 1.48 units per net acre. He further stated they will be happy to provide the traffic impact study when that is completed. He additionally commented the tree preservation plan will be provided for. He stated in conclusion for the body to approve the application it has to be found to be in compliance with the Comprehensive plan. He noted they present that it is in

compliance and look forward to approval. Mr. Darpel asked about the narrow aspect of the road leading into the development. He asked if they have looked into the traffic counts and what types of things are they looking at with that. Mr. Bayer stated they're committing to doing the traffic study and are happy to do it. He stated at this time they have not generated those numbers but it will be incorporated into the report. Mr. Darpel asked about the mulch path connecting the two cul de sacs and asked if there is anything planned to keep the mulch from getting washed out in the first rain. Mr. Bayer stated they will be happy to look at it further if need be. He noted they plan to use the same type of material that is used in the area. Mr. Ryan asked if there is an HOA to preserve the trails. Mr. Bayer stated that would be discussed with the city and an HOA to determine those trails long term. Mr. Whelan asked about the streets leading into the development and asked if they were going to be stubbed to provide for development in the future. Mr. Bayer stated that is the plan at this point and noted there are no plans to develop that area further but the stubs will be there. Mr. Logsdon asked if there were any timelines with the development of the mulched trail. He also stated he thinks it's important to know the timeline of when that trail is going in. Mr. Bayer stated they are going to take a hard look at that. Mr. France asked if the public portions are truly open to the public or are they just there to serve the residents living in the neighborhood. Mr. Bayer stated they envision it to be accessed through pedestrian access only and it would be open to anyone in the general public.

Mr. Nick Lowry addressed the Commission and stated he was representing him and his wife. He stated they believe the request is not consistent with the Erlanger portion of the neighborhood. He stated the open spaces the developer is proposing are simply areas that are unusable. He stated the significant increase in traffic is troubling and will make it considerably less safe. He asked if there will be a phase II and what that will entail. He stated a significant portion of the development is developmentally unstable. He stated the pocket park will be vastly inaccessible to the majority of the residents. He stated they urge the Commission to turn down this development or at the very least table it. Mr. Ryan stated currently the property technically is allowed to have 132 homes. He stated this development is approaching 85. He stated he understands part of the property is not developable but he wanted to put it out there that this is far less than what could go in under what is existing. Mr. Lowry stated if they are going to provide green space and trails it would be nice if all of it was accessible to the neighborhood. Mr. Darpel stated he is generally in support of cluster development to preserve the hillside versus clearing the whole hillside. He further stated the densities are far under. He also noted if the developer wanted to come in and clear the site and stay within the density, there is no need for them to come before the Commission because they can do what is allowed under the underlying zone. Mr. Darpel stated they can't stop them from developing the land and the trade off is a cluster development. Mr. Darpel then stated what they need to establish as a Commission is whether or not it meets the Comprehensive Plan on this. He stated under the current zone they would potentially be able to get far more lots. Mr. Lowry stated they would like them to be consistent with the rest of the area in terms of the development.

Ms. Jane Topmiller addressed the Commission and stated her only point is in regard to traffic. She stated 85 homes is almost double what is currently there and it seems crazy to add that to Garden Way. She stated it's very difficult to get back to the area now and this will make it worse. She stated she is not against it but stated it seems like too many homes. She stated if this goes forward it's difficult to get down Garden Way as it is with parking.

Mr. Blake Bertram addressed the Commission representing himself and Julie Bertram. He stated he would echo the sentiments about the traffic and also wanted to clarify the pocket park and how it would be maintained, as well as the tree preservation plan. He also stated based on the results of the traffic impact study could there be additional requirements based on that. Mr. Darpel stated with regard to the traffic study, the applicant has already agreed to do one, but certainly if the results with concerns there would have to make adjustments with regard to that. He also asked about the pocket park in terms of an HOA.

Mr. Darpel stated they are a recommending body but certainly if there is an HOA they would talk with the city on that.

Ms. Karen Shields addressed the Commission and stated her concern is with all the other long time residents. She stated one of the reasons they moved there was because of the cul de sacs and open space. She stated they know there is going to be growth but she stated the number one complaint is about traffic and she doesn't think it can handle almost double the size on the Garden Way. She stated it asking a lot to cram all these houses and traffic back there. She stated she doesn't see why there can't be another access. She additionally commented they built back there because of the cul de sac and now that's all being opened up.

Mr. Justin Hanks addressed the Commission and stated they moved there knowing there would be future development. He stated they are against large density. He noted there is a lot of unusable land with the development and inquired about the densification. He noted another question is around the 20% open space requirement and asked about the definition of open space. He additionally asked about the stub in also and further development. Mr. Hanks also asked if there was a way to put a cul de sac in to limit further development versus putting in another hundred houses. Mr. Darpel stated he doesn't really know that there's anything in place to limit connectivity. He noted one of their objectives is to keep things accessible. Mr. Ryan commented about land preservation and stated it's always an option for the city to do future land use preservation but he didn't know if Edgewood did that in this instance. Mr. Videckovich stated the city has the ability to do that and can make those requests when the Comprehensive Plan is updated.

Ms. Andi Roeding addressed the Commission and reiterated previous comments with regard to traffic being a big concern. She stated one of the things she didn't hear addressed is morning traffic. She noted there is a major back up in the morning. She stated they are currently using city resources to navigate the back up from St. Pius to the subdivision. She stated as much as possible if that could be looked at. She stated adding 85 homes is going to increase the traffic not only for the residents but for the city as well.

Ms. Monica Lowry addressed the Commission and stated she agrees with all earlier points and added the proposed pocket park is really a cute term but she really can't see how this is going to be called a pocket park when it's all the way at the end of flag lots and not very accessible to the other residents. She also commented about traffic and how dangerous it is presently. She stated she is concerned if they get an influx of cars it's just going to make it worse.

Ms. Lois Post addressed the Commission and stated they are right in the middle of where the hill comes down and the bend in the street. She stated she concurs with everyone else as to traffic and if 85 homes are added that will increase. She stated that was her concern.

Mr. Mark Schutzman addressed the Commission and stated he has the same concerns on traffic. He also asked a question with regard to Hemlock Drive and asked what will happen to that roadway that turns right at the top of the hill. Mr. Darpel stated since that is part of the development that would have to be addressed by the developer. Mr. Schutzman stated that is the only thing he has.

Mr. Brent Denniger addressed the Commission and stated he agrees with all the previous statements. He stated he wanted to make a couple comments. He stated the lots in Edgewood are typically 100 feet and wanted to know if that is being changed. He stated they should stick with the current lot sizes. He stated it is ludicrous to say that 200 houses can be built back there. He stated you would have to be a good hiker to be able to hike the trails being proposed. He also stated the pocket park is basically a lot where you can walk a dog around on. He asked if the lot sizes are being reduced for this. Ms. Brown stated the area

around Garden Way and Columbine is already zoned R1-C so the lot sizes are not 100 feet. He stated technically that is correctly but if you go on GIS the lots are 95-100 foot lots. He stated it should be built to match the current lot sizes that are there.

Mr. Jason Wolfeck addressed the Commission and stated he is speaking for himself and his wife Kammi Wolfeck. He thanks the Commission and stated they accept the fact that development is going to happen. He stated he wanted to know what the negative effects would be. He asked how they know it won't be more than 85 lots. Mr. Wolfeck also asked what type of homes are patio homes that would be built and if an HOA would affect his property. He additionally asked about a secondary access point to Grand Gardens.

Mr. Brian Hicks addressed the Commission on behalf of himself and Suzie Hicks. He stated they are in agreement with the other comments about traffic congestion.

Ms. Sharon Schutt addressed the Commission and stated their biggest reason they do not want it is because of the traffic. She stated the street was never designed to handle this amount of traffic. She noted leaving for school in the morning can sometimes take ten minutes to pull out of the drive. She stated the intersection of Charter Oak and Dudley is a nightmare depending on the time. She stated if there is going to be a phase two, there is going to be more traffic.

Ms. Bridget Speers addressed the Commission and stated she grew up off of Charter Oak and has relatives back there. She stated it has changed a lot since the 1970's. She stated there is already too much traffic back there. She stated her daughter was crossing legally years ago in the area and was struck by a car. She further stated the traffic there is just terrible. She stated she thinks there should be some other ingress than Charter Oaks. She stated with regard to the density the denominator should be the flat land, not the total land. She stated builders do not build on hillsides. She stated regarding the other phases she is very familiar with the area and there is no doubt that there will be development. She stated this is high density which will take away the hillside. She stated the traffic study needs to be done first and it's putting the cart before the horse.

Ms. Natalie McDonald addressed the Commission and stated her concern is the traffic and so they look forward to the traffic study being done.

Ms. Mary Martini stated her comments were the same as Natalie McDonald.

All others registered to speak against had nothing to add.

Mr. David Payne addressed the Commission and stated he was changing from neutral to against. He noted his concern with traffic as well. He asked what plan there is in place to repair the road when the construction is finished. He stated it is basically a one lane road. Mr. Darpel stated that is handled in another way under the subdivision regulations. He apologized for not really having an answer.

Mrs. Payne addressed the Commission and stated she agreed with the traffic that will be exacerbated by the 85 homes.

Mr. Stan Micek addressed the Commission on behalf of he and his wife Kelly and stated they understand they cannot stop the developer. He asked in the event this is rejected or if it fails he asked how many homes would they be able to build.

Mr. Jim Walsh addressed the Commission and stated essentially he wanted to discuss what the goals of the Comprehensive Plan are. He asked why the commission thinks it's better to change the Comprehensive Plan versus not changing the plan. He asked who they are really dealing with under the LLC and is there anyone on the Planning Commission that would directly benefit from the zone change. Mr. Darpel stated as to conflicts of interest, he stated he can't say enough good things about the Commission and that he has been on both sides. He noted he can tell you unequivocally that there is no conflict of interest with the Commission. He stated the past number of years the Commission has basically rewritten that. He stated it is hard to see people accused of things and it is disheartening when things don't go the way people want to. He stated he can't say enough good things about the dedication of the Commission and that they do not get paid enough for what they do. In regard to the goal of the Commission, he stated they are basically a recommending body and it is up to the city to decide. He stated he thinks their Staff does a superb job. He further stated that this is already decided is not accurate. Mr. Walsh stated he is really trying to understand more than accuse. He stated he is asking why the Commission is proposing changing the zone. Mr. Darpel stated they look at the Comprehensive Plan and the goals and objectives of it are for certain things to happen. He stated they need to determine whether it meets those. He stated Staff looks at all these elements and makes their recommendations. He stated now it is up to the Commissioners to make a recommendation. He stated this is what they look at. He stated they have their criteria and that's what they have to look at. Mr. Walsh stated he apologized and did not mean to sound as if he was accusing anyone.

Mr. Doug Armbruster addressed the Commission and stated he echoed the traffic concerns raised. He also stated what they proposed is not an unreasonable plan and would just encourage everyone to try to work together.

Mr. Mike Greiwe addressed the Commission and asked about lots 18 and 19 and if there was an easement there. He asked about the cemetery that was back in the area and asked if that would be affected at all. Mr. Darpel stated statutes are very specific as to what can happen with cemeteries. He noted he doesn't know anything about cemeteries.

Mr. Ashley Bolte addressed the Commission on behalf of himself and his wife Arnie. He stated they moved in a couple years ago. He stated he measured his lot and stated it is 114 feet wide so what was being said is accurate. He stated he has changed from neutral to against the issue. He stated they would like things to stay the way they are. He stated they jumped at the chance when they moved there back in 1996. He additionally stated they must work together to get the best out of it they can. Mr. Darpel stated he doesn't know what is going to happen yet but it's always good to be cooperative. Mr. Bolte stated he would reiterate what everyone has said as to the traffic.

Mr. William Grady addressed the Commission and stated his concerns with the intersection. He stated it would have to have something done to make anything work. He noted the traffic backs up almost a quarter mile. He stated Edgewood will have to deal with the additional traffic with the additional homes which is his biggest concern. He stated it is just going to be a huge mess back there and he feels sorry for the people at Grandview Garden. He stated in his opinion this shouldn't be allowed because the majority of the people will be living in Erlanger in the development.

Mr. Darpel then read a letter from Kathleen Watters into the record addressing concerns about the application. He marked it as exhibit 1 to be made a part of the record. He also noted he had another email but it did not have an identifiable party on it. He stated he would forward it to the applicant but he did not feel comfortable making it a part of the record. He said they were basically a series of questions. Ms. Bushelman interjected and stated that was received from Mr. Ken Rupert and those were his questions. Mr. Darpel then summarized them quickly and marked it as exhibit 2 to be made a part of the record.

The applicants addressed the Commission in rebuttal to answer questions. He stated one of the things brought up was the trail construction and what is a pocket park. He stated they were involved with trails down to Doe Run previously and that can be discussed. He noted with regard to the pocket park they would flatten that out and open up the view to across the lake. He stated it would have benches. He noted they are giving up one of the most desirable lots for the pocket park. It was additionally stated by the applicants they had plans for more houses in the development but it took up too much of the land. He stated it's more detrimental to the site to do that but it is certainly feasible to do under the straight zone. He further stated things that aren't as apparent when looking at it online but there are areas on the site that they are trying to avoid in the center of it. He stated they are trying to preserve open space. Another applicant addressed the Commission in rebuttal and discussed density aspects as well. He stated Hemlock is a private drive and the access would be as it is today. He commented the dashed drive on the plan would go away and is not intended to be a drive. He stated there would be a shared driveway between lots 18 and 19 as well as between 23 and 25. Mr. Darpel asked about an easement on Hemlock if it was private or not. The applicant stated that is a private easement that would remain.

Mr. France asked what would happen if Edgewood kept it R1-B and how that would impact the number of homes in terms of density. Mr. Bayer stated the lots get deeper but are narrower. Mr. France asked if they were doing that to preserve the hillside. Mr. Bayer stated that was correct. Mr. Darpel asked about the traffic and stated it does get so congested back there. Mr. Darpel then asked if any preliminary traffic studies had been done. Mr. Bayer stated they had not but that would be done at Stage II. He also stated they really appreciated the input from the residents and all the input to determine where the problems are in terms of traffic. Mr. Logsdon asked what the lot allocation is in Edgewood and Erlanger. Mr. Bayer stated there are 38 in Erlanger and 47 in Edgewood. Mr. Darpel stated he would like to give five minutes to those who spoke if they had any further questions if they had one person who wanted to speak for them. He stated they had been at it for a long time but he wanted to find out if there were any other questions. Mr. France stated it might be beneficial to find out if they kept it at the current zone and what number of homes they would be talking about. He stated he knows there really isn't a way to determine that now but that would be helpful. Mr. Darpel stated he is really in favor of cluster development but he is struggling with it because it is in two jurisdictions. He stated it could be made more like what is there it would make more sense. He stated he likes to protect the hillsides etc., but the traffic is really concerning and he doesn't know if there is the infrastructure there to protect it. Mr. Logsdon asked why they haven't heard from either of the cities on the application. Mr. Darpel stated they don't have an obligation to comment and it will come before them. Mr. Logsdon stated he was just wondering why they didn't show up. Mr. Bethell noticed the mayor of Erlanger popped up so he knew they were listening. Ms. Brown stated the city administrator and Mr. Hahn were still listening. Mr. Darpel asked if Mr. Bayer had anything else to add. Mr. Bayer stated they feel good about their application in terms of the Comprehensive Plan.

Mr. Nick Lowry addressed the Commission in rebuttal. He stated it speaks volumes that there have been over a hundred people on the call for almost three hours. He also comments that with covid 19 and people working from home and college kids home the traffic is that much worse already with everyone home. He stated the earlier speaker hit the nail on the head when it was stated it's putting the cart before the horse to do this development without knowing the impact. He also stated the real denominator really should be the total amount of buildable land. He stated it is not consistent with what is there presently. He stated Edgewood is going to bear the brunt of the impact from the development. He stated this is really about quality of life. He stated this is ridiculous and he urges the Commission to deny the application.

Ms. Brown asked Mr. Videkovich about the traffic impact study. She asked if the two mile radius referenced for the traffic study would reach Dudley. It was clarified that it would. She then asked if the

developer is required to do the repairs outside the traffic study. Mr. Videkovich stated they would. Mr. Ryan asked about the requirements involved with the traffic study. Mr. Videkovich then read what those requirements were. Mr. France asked what would be the outcome if it's determined that it can't be done based on the traffic study. Mr. Videkovich stated it wouldn't be saying that it can't be done, it would be more like suggestions on what can be done to remedy those issues. Mr. Whelan asked what the requirements were on a second egress. Mr. Videkovich stated as long as it meets certain requirements for width there is no requirement for a second access point.

There being no further comments Mr. Darpel then recessed the public hearing for discussion. Mr. Bethell stated his concern is this is putting the cart before the horse. He stated the road is not big enough for the development that is back there currently. He stated he used to walk that road and it's really not changed much from when he was younger. He stated his big concern is Charter Oak Road and it just hasn't changed. He stated it's just not enough road to warrant the development going in back there in his view. Mr. Whelan stated he wanted to add onto what was just said. He noted just because land becomes available doesn't mean that you need to build on it. He stated the traffic study that is proposed has a two mile radius and it should be considered if a safety hazard is being created here. Mr. Martin stated with the stay at home order he doesn't know if it's the right thing to do a traffic study now. He stated he has concerns with traffic also and feels with the stay at home order and the traffic he just feels it's just one big mess. Mr. Darpel stated the expectation to make the zone consistent is not offensive to him. He stated in this particular situation he's just not loving the cluster development. He stated certainly safety is an overriding concern with the Comprehensive Plan and something to be considered. He stated he is far less comfortable with the Erlanger portion being an overlay than when this first started. Mr. Ryan stated do we want to allow smaller lots and have more of the hillside lost. He stated you can change the topography based on needs but is it worth moving the mountain to fill in a valley. He stated if it's one or 50 or whatever, he stated the city could have come in and done a land preservation on it and they didn't. Mr. Ryan stated they don't know the traffic impact study and it could potentially change the outcome of the development. He further stated the lot sizes there is a huge variety of huge widths of lots in the zone ranging from 70-100. He stated he is in favor of allowing it to proceed as it is and having the traffic study and going from there. Mr. Darpel then reconvened and closed the public hearing. He stated he would like to do the motion in two separate sections based on Area 1 and Area 2. He then asked for a motion on the matter. Mr. Ryan made the motion to approve the map amendment pertaining to Area 1 based on the fact that it is in compliance with the Comprehensive Plan and based on Staff's report and evidence presented. Mr. Berling seconded the motion. A roll call vote on the motion found Mr. Ryan, Mr. Berling, Mr. Ahrens, Ms. Best, Mr. Bridges, Mr. Darpel, Mr. Pannunzio, Mr. Sketch, Ms. Snyder, Ms. Vaughn and Mr. Wischer in favor. Ms. Baumgardner, Mr. Bethell, Ms. Brown, Mr. France, Mr. Logsdon, Mr. Martin, Mr. Pharr and Mr. Whelan voted against. Mr. Dunham had recused himself from any voting on the matter. The motion carried. Mr. Darpel then asked for a motion with regard to Area 2. Mr. Berling made the motion to approve based on Staff's recommendation, the testimony heard and that it is in compliance with the Comprehensive Plan. Mr. Wischer seconded the motion. Mr. Videkovich asked if the motion includes the conditions. Mr. Berling stated it does. A roll call vote on the matter found Mr. Berling, Mr. Wischer, Mr. Ahrens, Ms. Best, Mr. Bridges, Mr. Darpel, Mr. France, Mr. Pannunzio, Mr. Ryan, Mr. Sketch, Ms. Snyder and Ms. Vaughn in favor. Ms. Baumgardner, Mr. Bethell, Ms. Brown, Mr. Logsdon, Mr. Martin, Mr. Pharr and Mr. Whelan voted against. Mr. Dunham recused himself from any voting on the matter. The motion carried.

FILE: PC2003-0003 (action required)

APPLICANT: Brad Trauth of Trauth Homes, Inc. on behalf of DGS Development

LTD

LOCATION: 2323 Anderson Road; an area of approximately 0.59 acres located on the south side of Anderson Road between Bromley Crescent Springs Road and Clock Tower Way in Unincorporated Kenton County.

REQUEST: Review of an amended Stage I Development Plan under requirements of the Kenton County Zoning Ordinance.

Mr. Whelan and Mr. Martin recused themselves from any consideration and voting due to a potential conflict.

Staff presentation and Staff recommendations by Andy Videkovich

PDS STAFF RECOMMENDATION

Favorable recommendation for the amended Stage I Development Plan under requirements of the Kenton County Zoning Ordinance. The applicant proposes to construct

Mr. Brad Trauth addressed the Commission as the applicant and showed a series of slides describing the development. He stated they are a little further along with the renderings so he wanted to show what it might look like. He stated they have been doing infill development for the last twenty years. He stated in the last five years they've been able to do two other townhome projects similar to what is being proposed in Crescent Springs. He then showed other pictures of examples of completed projects and interiors of what has been done previously. He stated the plan meets current zoning and commented the pie shape of the lot drastically limits what can be done on the property. He noted this is the best opportunity he's been able to put together due to the shape of the property. He stated he feels it is unique and they are confident what the market needs is more properties like this. He noted there is a current wait list for the other properties so when complete they plan to put people right in.

Mr. Brad Trauth stated he was available to answer any questions with regard to the site.

Mr. Darpel then read into the record various letters he had received on the issue. These were then marked as exhibits to be made a part of the record on the matter.

Mr. Dave Boyle addressed the Commission against the issue and stated his objection is the increased density with the development. He stated if an exception is made here you set a precedent.

Mr. Michael Baker addressed the Commission as a neutral party and stated the city (Crescent Springs) is neutral with regard to the project but does have a couple concerns. He stated the back of the project abuts the city property line. He noted the land is titled in the name of the city and the separation point from the property that is being proposed is the property is titled in the city's name because of a bond. He stated what has not been addressed is the concern of erosion of the hillside. He stated the bond expires in about 8 or 9 more years. He noted he doesn't know where the property is running off and how that will impact the hillside. He noted another primary concern is there are very few parking spots being proposed, particularly if all the units are full and there is an emergency. He noted it is not necessarily a building concern but a safety concern.

Mr. Mike Daly addressed the Commission as the Crescent Springs City Administrator and stated Mr. Baker pretty much covered everything the city wanted to say. He stated site distance is a little bit of a concern as brought up earlier in one of the letters, as well visibility can be somewhat. He commented

a retaining wall could possibly be put in to combat some potential drainage issues. He stated he appreciated the Commissioner's time.

Mr. Jim Trauth addressed the Commission in rebuttal and addressed the storm water issue and stated that would be addressed. He commented as to the entrance and stated the site distance really isn't going to change anything but they will do their best to lessen the impact. He stated they will address all those concerns.

Mr. Darpel recessed the public hearing for discussion on the matter. Mr. Dunham stated this is kind of a unique situation and wondered what were the standards necessary to meet the requirements. Mr. Darpel stated the MLU is pretty open and it's one of the benefits of an MLU. He stated if anyone has any objections we can say hey, does this fit the standard of an MLU. Mr. Dunham stated he doesn't have an issue with it, he was just confused. Mr. Darpel then reconvened and closed the public hearing. Mr. Brad Trauth commented about the density and stated it would be 8.65 dwelling units and they are at 9. Mr. Darpel then stated generally try to stay consistent with the plan. Mr. Trauth stated he just wanted to clarify that.

Mr. Darpel then asked for a motion on the issue. Mr. Dunham made the motion to approve with the finding that they are consistent with the Comprehensive Plan, and based on the testimony heard and Staff's report. A roll call vote on the motion found Mr Dunham, Mr. Wischer, Mr. Ahrens, Ms. Baumgardner, Mr. Berling, Ms. Best, Mr. Bethell, Mr. Bridges, Ms. Brown, Mr. Darpel, Mr. France, Mr. Logsdon, Mr. Pannunzio, Mr, Pharr, Mr. Ryan, Mr. Sketch, Ms. Snyder, Ms. Vaughn voted in favor. Mr. Whelan and Mr. Martin recused themselves from any voting on the issue. The motion carried.

Ongoing Business

Reports from Committees

Bylaws – No report

Direction 2030 Implementation – Mr. Bethell stated he had nothing to report.

Executive– Mr. Darpel stated they did not meet so there is nothing to report.

Social Media – No report.

Subdivision Review – No report.

Z21 Review - No report.

Reports from Commission members – None.

Report from Legal Counsel– Nothing to report.

Reports/announcements from Staff - Mr. Vidokovich stated they did receive one item on the agenda for next month's meeting. He stated that given that they probably won't have an answer on next month's

meeting prior to the notices having to go out, he would like to just plan to hold the meeting in the same format for June.

New Business – None.

There being nothing further to come before the Commission, a motion to adjourn was made by Ms. Snyder and seconded by Mr, Bethell. All in favor by acclamation. The meeting then adjourned at 11:03 p.m.

APPROVED:

Chair



Date

6/4/20
